

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DEVIN LEE MOELLENBERNDT,

Plaintiff,

vs.

MOHAMMED NESSAIEF,

Defendant.

**4:22CV3178**

**MEMORANDUM AND ORDER**

This matter is before the Court on Defendant Mohammed Nessaief's Motion to Continue Case Progression, [Filing No. 25](#), and Motion to Seal, [Filing No. 20](#). In light of the pending dispositive Motion for Summary Judgment, [Filing No. 21](#), which includes the issue of qualified immunity from suit, and for good cause shown, the Court will grant the Motion to Continue. Defendant also asks the Court to enter an order pursuant to [Fed. R. Civ. P. 5.2\(d\)](#) and [NECivR 7.5](#) sealing what will be marked and offered as Exhibit 3 of the Index of Evidence, [Filing No. 22](#), in support of his Motion for Summary Judgment. Because the exhibit contains confidential and sensitive information, the Motion to Seal will be granted.

IT IS THEREFORE ORDERED:

1. Defendant's Motion to Continue Case Progression Deadlines, [Filing No. 25](#), is granted;
2. Defendant's Motion to Seal, [Filing No. 20](#), is granted and Exhibit 3 of the Index of Evidence, [Filing No. 22](#), in support of Defendant's Motion for Summary Judgment shall remain sealed;


2. The deadlines related to the Final Pretrial Conference Order, [Filing No. 19](#), are suspended until further order of the Court;

3. The Final Pretrial Conference scheduled for August 13, 2024, is continued until further order of the Court; and

4. The Clerk of Court shall transmit a copy of this Order to Magistrate Judge DeLuca's chambers.

Dated this 25th day of July, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon  
Senior United States District Judge